

KING & SPALDING

King & Spalding LLP
1185 Avenue of the Americas, 35th Floor
New York, NY 10036-4003
Tel: +1 212 556 2100
www.kslaw.com

Andrew C. Hruska
Direct Dial: +1 212 556 2278
ahruska@kslaw.com

MEMO ENDORSED

p2

February 27, 2020

VIA ECF

Honorable Richard M. Berman, U.S.D.J.
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/28/2020
--

Re: United States v. Türkiye Halk Bankasi A.S., a/k/a/ "Halkbank"
U.S. District Court for the Southern District of New York
No. 1:15-cr-00867-RMB

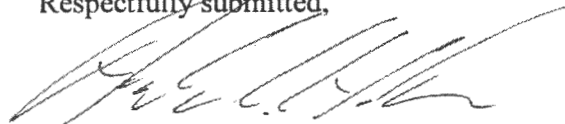
Dear Judge Berman:

We write regarding the Court's direction at the February 25, 2020 conference that Halkbank submit a letter confirming that King & Spalding is authorized to appear on its behalf as counsel of record in order to submit a plea of not guilty.

It is legally possible and we are prepared to move forward with the arraignment now based on counsel's oral confirmation of the client's instruction because we have identified no law or precedent requiring that Halkbank submit such a letter (*see* Fed.R.Crim.P. 43(b)(1)). Turkish law requires the approval of the board of directors to issue such a written authorization. Accordingly, Halkbank management will request from its board of directors a written document confirming that King & Spalding is authorized to appear as its representatives in this matter pursuant to Fed.R.Crim.P. 43(b)(1).

The issue will be addressed at the next board meeting that will be held specifically to discuss this issue on March 27, 2020. Given this process, we hope to have the letter by March 31, 2020. We respectfully request that the control date status conference now set for March 3 be rescheduled for a date following March 31, 2020.

Respectfully submitted,



Andrew C. Hruska
AH3224

cc: counsel of record (via ECF)

Kings & Spalding's application (2/27/20)
to adjourn Halkbank arraignment is
granted to 3/31/20 at 9:30 A.M. Counsel
for Halkbank & the Govt are requested
to meet & confer forthwith & to propose
to the Court appropriate arraignment
allocation / language by 3/5/20 (noon).
Time is excluded under the Speedy Trial
Act to 3/31/20 so that written Halkbank
approval as described in attached K+S
letter can be docketed. See also Tr 2/25/20.

SO ORDERED:

Date: 2/28/20

Richard M. Berman

Richard M. Berman, U.S.D.J.